

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
NORTHERN DIVISION

KRISTINE BIGGS JOHNSON,)	
)	
Plaintiff,)	Civil No. 1:14-cv-147
)	Judge Tena Campbell
vs.)	
)	Deposition of:
DANIEL SCOTT PEAY, a)	<u>DANIEL SCOTT PEAY</u>
Morgan County Sheriff's)	
Sergeant; MORGAN COUNTY, a)	
Political Subdivision; and)	
JOHN and JANE DOES 1-10,)	
)	
Defendants.)	

October 13, 2015
9:40 a.m.

Location: SYKES MCALLISTER LAW OFFICES
311 South State Street, Suite 240
Salt Lake City, Utah

Reporter: Melinda J. Andersen
Certified Shorthand Reporter and Notary Public

1 MR. STIRBA: Objection, vague and ambiguous as
2 to lobby. Go ahead.

3 THE WITNESS: No.

4 Q. Is it true -- have you seen the video since?

5 A. Yes.

6 Q. Is it true that when you fired that shot you
7 were five or six feet off to the side of her car?

8 A. I don't recall. I couldn't say that I was five
9 or six feet off to the side of the car. I was to the side
10 of the car, yes.

11 Q. You weren't in any danger of getting hit
12 yourself, were you?

13 A. Not at that point, no.

14 Q. While you shot you were in no danger of getting
15 hit when you shot?

16 A. I was not, no.

17 Q. Isn't it true, however, that you told some
18 people before this investigation, you told other officers
19 that you were in danger of getting hit; isn't that true?

20 A. Not at the time that I fired the shot. That's
21 not true.

22 Q. I know you were in no danger, but my question
23 is didn't you tell initially other officers that you were
24 in danger?

25 A. I never told anybody at the time I shot that I